



Inter Department Correspondence Sheet

TO: Members of Council

FROM: City Clerk

COPIES TO: _____

SUBJECT: Minutes of City Council Meeting

February 27, 2016

Attached are the minutes from the City Council meeting held on February 23, 2016.

R. Breckenridge Daughtrey

NORFOLK, VIRGINIA

BUSINESS MEETING OF COUNCIL

TUESDAY, FEBRUARY 23, 2016

Mayor Fraim called the meeting to order at 4:30 p.m. with the following members present: Ms. Graves, Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley and Mr. Winn.

He thereupon called for the first item of business.

A. COUNCIL INTERESTS

1. Councilman Protogyrou asked: 1) about funding for a women's locker room at the Senior Center and 2) to add more handicap parking spaces and outdoor gym equipment.
2. Councilman Riddick asked: **1)** for a status report on construction at Chapel Street and Tidewater Drive, **2)** what precautions are in place to recognize if our water supply has been contaminated and, if so, how to treat it, and **3)** thanked Chief Wise and the Fire Department on how they responded to the recent fire in Ocean View. In addition, Mayor Fraim suggested that we communicate to our citizens about the working agreement we have with our sister cities.
3. Councilman Winn forwarded an email from Acclaimed Events to the City Manager concerning the use of Norfolk companies for events, and asked: **1)** that appropriate staff communicate to citizens why their HRUBS bills fluctuate and to provide adjustments where appropriate, **2)** where another public boat launch can be located in Ocean View, and **3)** commented that the Animal Care Center facility needs improvements as well as more staffing and he asked to start planning for them in this year's budget and future budgets
4. Councilwoman Whibley: **1)** commented on the recent editorial in the Virginian-Pilot concerning the state funding for Norfolk's storm water needs being removed and asked how to prevent that from happening, and asked **2)** for an update on the arts programs and their rent delinquencies, and **3)** for an update on high-speed internet service.

5. Councilwoman Johnson: **1)** reiterated an earlier request to provide two crosswalks on Princess Anne Road by the Franklin Arms Apartments and asked **2)** for speed enforcement on Princess Anne Road east of Tidewater Drive in the vicinity of the new school, and **3)** that appropriate staff investigate complaints of bed bugs at Braywood Manor Apartments.
6. Vice-Mayor Graves: **1)** commented that renovation work has stopped on a house on Middle Avenue and the neighbors are being impacted. She asked what legal action can be taken against the owner, and asked: **2)** the Administration to caution employees who drive city vehicles not to leave valuables in the car, **3)** for a clarification on how bonuses are taxed and if they go towards retirement and social security, and **4)** how employees with no access to city computers can access their payroll and compensation information.
7. Councilman Smigiel asked: **1)** that appropriate staff investigate disconnected utility wires hanging from utility poles along Ocean View Avenue, and **2)** reported on a recent parking situation after a Norfolk Public Schools event at Nauticus where attendees were told that parking would be \$2.50 but some were charged \$12.50. He added that a family was verbally abused by a parking employee and asked **3)** the Administration to investigate the matter, **4)** to create a better traffic pattern at the area of the East Beach Shops where water and sewer lines are being replaced, and **5)** he noted that access to those businesses has been cut off, and **6)** with regard to the landscaping maintained by business owners, he suggested an annual inspection to ensure that landscaping is being maintained and replaced if needed, and **7)** reiterated an earlier request to consider creating a Sign Task Force. Suggested scheduling a joint meeting with the City Planning Commission.
8. Mayor Fraim asked: **1)** for update regarding street sweeping and landscaping crews, and **2)** regarding the proposed expansion of Sentara Norfolk General, he asked for a report on the assets of the medical center complex and to reactivate the Medical Center Planning Committee

B. ELEGANT OCCASIONS

George Homewood, Director of City Planning, reported as follows:

In 2004, the City of Norfolk agreed to participate in a Joint Land Use Study along with the Office of Economic Adjustment of the Department of Defense, the City of Virginia Beach, the City of Chesapeake and the Hampton Roads Planning District Commission. The goals of the study were to focus on the safety and welfare of Norfolk citizens and to provide recommendations to ensure compatible development in accident potential (APZ) and high noise

zones. The study was completed in 2005 and the City Council approved the final report by resolution in May 2005. *plaNorfolk2030*, which was adopted in May 2013, reaffirmed Norfolk's role in the JLUS.

Captain Douglas J. Beaver, Commanding Officer, Naval Station Norfolk, reported as follows:

Captain Beaver provided background information regarding compatible use zones (ACUZ) in the 2005 JLUS. The program was instituted by the Department of Defense in 1970 to address the problem of land development surrounding military air installations. The final Hampton Roads JLUS Report was endorsed in April 2005 and is updated periodically. The ACUZ was incorporated in *plaNorfolk 2030* and the Norfolk Zoning Ordinance.

The Navy does not support the Special Exception application by Elegant Occasions for a banquet hall at 9605 Granby Street because it would be located within the noise zone northeast of Chambers Field and directly underneath a major departure corridor within the accident potential zone 2. The City Planning staff and the City Planning Commission both view the Special Exception request as an increased development at this site and an unnecessary encroachment upon Navy Operations and recommend denial.

In closing, Captain Beaver stressed that the Navy and the City of Norfolk have a great relationship built on respect and trust. The Navy looks forward to continuing that relationship while working through this issue and any others that arise.

Councilman Smigiel commented that there are a lot of inconsistencies and a real disconnect with how some business owners are treated. He cited an example: Four years ago a developer proposed 385 apartments on 2nd Bay Street that was ten stories high and he was given permission by the Navy to develop the project. He added that there are grandfathered businesses that sponsor events where many citizens are in attendance. Another example is the annual St. Patrick's Day Parade where thousands of citizens are present. Mayor Fraim stated that if the Navy starts to discern a pattern of development or "creeping encroachment" towards their installation, they could decide to relocate their entire operation. Councilman Riddick added that this application is not new development and that this building has been in that location for a long period of time.

C. CLOSED SESSION

Motion for closed session was approved for purposes which are set out in **Clause 3 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act**, as amended:

- (3) Discussion of the disposition of publicly owned real property in the area in the downtown area.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

D. GREATER ST. PAUL'S REVITALIZATION AREA

Peter Chapman, Deputy City Manager, reported as follows:

Mr. Chapman presented a map showing the proposed boundaries of the Greater St. Paul's Revitalization Area. At present there are no housing developments or businesses within the boundaries. There is an existing fire station, HRT transfer center, and a building that will be demolished as part of the St. Paul's Apartments project.

The vision for the area emphasizes the importance of building mixed-income communities replete with market rate and affordable housing options and amenities as well as commercial job generating activities. This process of designating a revitalization area is really driven by state statute and the Virginia Housing and Development Authority policy.

There had been some confusion about what a revitalization area is versus a redevelopment and conservation area. After further study and working closely with Councilman Riddick, they came up with boundaries that would accomplish two things: It would capture the proposed site for the St. Paul's Apartments project and also capture other parcels thereby allowing us to communicate to Virginia Housing and Development Authority that we have a true revitalization area rather than just a site specific plan. The Virginia Housing and Development Authority provides more favorable financing terms for projects that are located in designated revitalization areas.

Mr. Chapman added that they have consulted with individual and institutional stakeholders in the area; particularly faith-based organizations and civic associations. Councilwoman Johnson stressed that as we move forward with future planning for the St. Paul's quadrant to make sure all stakeholders are included.

E. GREATER ST. PAUL'S REVITALIZATION AREA

Chuck Rigney, Director of Development, reported as follows:

The purchase of the J. C. Penney building represents a longer-term strategy while future development for the entire corridor is contemplated. Negotiations continue for an operations center which will have 650 employees to start and another 250 employees within the next two years. This will reenergize the site, bringing vitality to the Military Circle area while longer-range plans are formulated. This investment is a part of a strategic plan to ensure that the city will be a part of future development in this area. This is also an opportunity to create an asset for the Economic Development Authority and it will generate income and tax revenue.

F. PH-5 AND PH-6: J. C. PENNEY BUILDING

Chuck Rigney, Director of Development, reported as follows:

The purchase of the J. C. Penney building represents a longer-term strategy while future development for the entire corridor is contemplated. Negotiations continue for an operations center which will have 650 employees to start and another 250 employees within the next two years. This will reenergize the site, bringing vitality to the Military Circle area while longer-range plans are formulated. This investment is a part of a strategic plan to ensure that the city will be a part of future development in this area. This is also an opportunity to create an asset for the Economic Development Authority and it will generate income and tax revenue.

G. COSTAL CHARACTER DISTRICT

George Homewood, Director of City Planning, reported as follows:

There are three character districts in the city: downtown, traditional and suburban. When developing *plaNorfolk 2030*, East Beach had been originally designated as traditional. Moving through the adoption process they realized that was not appropriate for East Beach; therefore, the City Planning Commission recommends creating a fourth character district along the coast. The coastal character district will be added to *plaNorfolk 2030* and the Zoning Ordinance.

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 23, 2016 – 7:00 P.M.

President Fraim called the meeting to order at 7:00 p.m.

The opening prayer was offered by Councilman Paul Riddick, followed by the Pledge of Allegiance.

The following members were present: Mrs. Graves, Mrs. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

INVITATION TO BID

IB-1

INVITATION TO BID scheduled this day pursuant under State Law, public notice having been inserted in the local press by the City Clerk to accept bids for a **Long-Term Garage Parking Agreement**, with a term of approximately eleven years and six months for 1,600 to 2,000 parking spaces in the City of Norfolk in **Fountain Park Garage** located at **130 Bank Street, MacArthur Center North** and **MacArthur Center South Garages** located at **500 E. City Hall Avenue, Bank Street Garage** located at **441 Bank Street**, and **Freemason Street Garage** located at **161 Freemason Street**.

One bid was submitted by City Walk Two, LLC that was opened, numbered and read.

Thereupon, An Ordinance entitled, "An Ordinance accepting the Bid submitted by City Walk Two, LLC for a **Long Term Garage Parking Agreement**, with a term of approximately eleven years and six months for the lease of 1,600 to 2,000 parking spaces in the City of **Norfolk in Fountain Park Garage** located at **130 Bank Street, MacArthur Center North** and **MacArthur Center South Garages** located at **500 E. City Hall Avenue, Bank Street Garage** located at **441 Bank Street**, and **Freemason Street Garage** located at **161 Freemason Street**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 25, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

PUBLIC HEARINGS

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Brock Ventures, Inc.**, for an amendment to the future land use designation in the General Plan, *plaNorfolk2030*, from Institutional to Multifamily and for a change of zoning from IN-1 (Institutional) District to R-13 (Moderately High Density Multi-Family) District on property located at **435 Virginia Avenue**.

(The Administration requested this matter be continued.)

ACTION: Continued to April 26, 2015.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

PH-2

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **The Auto Connection**, for a change of zoning from R-8 (Single-Family) District to Conditional C-2 (Corridor Commercial) District on an approximately 80-foot by 125-foot portion of the property located to the northwest of the site on property located at **6336-6352 E. Virginia Beach Boulevard**.

Sam Baraki, agent for the applicant, 800 Juniper Crescent, was present to answer questions.

Thereupon, An Ordinance entitled, "An Ordinance to rezone a portion of the property located at **6336 to 6352 East Virginia Beach Boulevard** from R-8 (Single-Family Residential) District to Conditional C-2 (Corridor Commercial) District," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

PH-2A Thereupon, An Ordinance entitled, “An Ordinance granting a Special Exception to operate an automobile sales and service establishment named “**Auto Connection**” on property located at **6336 to 6352 East Virginia Beach Boulevard**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-3 **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, for a zoning Text Amendment to permit, by special exception, any one use listed in Table 4-A or Table 6-A of the *Zoning Ordinance of the City of Norfolk, 1992*, as amended, in a building which has been designated as a **Norfolk Historic Landmark** under Chapter 9 of the *Zoning Ordinance*, even when the use does not appear on the use table for the zoning district in which the building is located.

 Thereupon, An Ordinance entitled, “An Ordinance to amend **Section 9-2.3** of the **Zoning Ordinance** to the City of Norfolk, 1992, **SO AS TO** permit, by **Special Exception**, any one use listed in **Table 4-A or Table 6-A** of the Zoning Ordinance in a building which has been designated as a **Norfolk Historic Landmark**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-4

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend *plaNorfolk2030* so as to adopt the ***Coastal Character District*** with associated actions and for a zoning Text Amendment to Section 2-3, "Definitions," Table 4-B, "Yard Requirements in Residential Districts," Section 15-4, "Motor vehicle parking design standards," Table 15-A, "Table of Minimum Parking Requirements," and Table 15-B, "Table of Bicycle Parking Requirements," of the *Zoning Ordinance of the City of Norfolk, 1992* as amended, to define "**Character District, Coastal**," to amend the zoning map to adopt the Coastal Character District boundaries and to amend various development and design standards within the district.

Ellis James, 2021 Kenlake Place, stated that he is supporting the Planning Commission for the amendment to *plaNorfolk2030*. He also mentioned that the plan contains a number of things helpful to the Coastal District and was happy to see that bicycles were included. He urged Council to vote for this change.

Thereupon, An Ordinance entitled, "An Ordinance to establish the boundaries of the **Coastal Character District** for purposes of applying provisions of the *Zoning Ordinance of the City of Norfolk, 1992*," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-4A

Thereupon, An Ordinance entitled, "An Ordinance to amend the **Zoning Ordinance of the City of Norfolk, 1992**, in order to add a definition for "**Coastal Character District**" and to indicate which provisions relating to parking requirements and minimum required yards will apply in that **Character District**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-4B

Thereupon, An Ordinance entitled, “An Ordinance to amend the City’s General Plan *planorfolk2030*, **SO AS TO** establish a new **Character District** known as the “**Coastal Character District**” in the **Ocean View** area of the City,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-5

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on an Ordinance to amend and reordain Sections 1 and 2 of the **Capital Improvement Program Budget** and to add a new Section 3 to the Capital Improvement Program Budget for the fiscal year 2016 to finance **Economic Development Authority** costs in the amount of \$14,500,000 related to the conversion of the former **J.C. Penney** store at Military Circle to an office building.

Thereupon, An Ordinance entitled, “An Ordinance to amend and reordain Sections 1 and 2 of the **Capital Improvement Program Budget** and to add a new Section 3 to the **Capital Improvement Program Budget** for the fiscal year 2016 to finance **Economic Development Authority** costs in the amount of \$14,500,000 related to the conversion of the former **J.C. Penney** store at Military Circle to an office building,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-6

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on **The Economic Development Authority of the City of Norfolk's** (the "EDA") issuance of up to \$14,500,000 in Notes (the "EDA Notes") to finance, in whole or in part, certain costs of the EDA related to the acquiring, constructing and equipping of the former **J.C. Penney** store at the **Gallery at Military Circle** and the property related thereto and the costs of issuing the EDA Notes.

Thereupon, An Ordinance entitled, "An Ordinance authorizing the City of Norfolk to enter into a **Cooperation Agreement** to provide for the payment of notes issued by the **Economic Development Authority** and to pledge the City's full faith and credit in connection therewith," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-7

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the City's issuance of up to \$8,000,000 in **Wastewater System Revenue Bonds** (the "Wastewater Revenue Bonds") to finance, with respect to the City's wastewater system, certain costs of acquiring, constructing and equipping capital improvements for which bond proceeds have been appropriated pursuant to the City's Capital Improvement Plan.

Ellis James, 2021 Kenlake Place, asked Council if he could also speak for PH-8 as well. He stated that he supports these bonds because they are extremely important and that he urges Council to vote yes.

Thereupon, An Ordinance entitled, "An Ordinance authorizing the issuance and sale by the City of Norfolk, Virginia, **Wastewater System Revenue Bonds**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-8

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the City's issuance of up to \$3,000,000 in **General Obligation Storm Water System Bonds** (the "General Obligation Bonds") to finance, with respect to the City's storm water system, certain costs of acquiring, constructing and equipping capital improvements for which bond proceeds have been appropriated pursuant to the City's Capital Improvement Plan.

Thereupon, An Ordinance entitled, "An Ordinance authorizing the issuance and sale by the City of Norfolk, Virginia, **General Obligation Bonds for Storm Water Improvements**," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

PH-9

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on an Ordinance authorizing the vacation and release by the City of Norfolk to **City Walk Two, LLC**, those certain two pedestrian access easements located on and running through the **Two Commercial Place Building**.

Thereupon, An Ordinance entitled, "An Ordinance authorizing the vacation and release by the City of Norfolk to **City Walk Two, LLC**, those certain two pedestrian access easements located on and running through the **Two Commercial Place Building**; and authorizing the City Manager to execute and deliver **Deeds of Release** on behalf of the City and to do all of the things necessary and proper to effect the vacation and release of said Pedestrian Access Easements," was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 25, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

PH-10

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on an Ordinance authorizing an Amendment to the Lease between the City of Norfolk and **The Muddy Paws Grooming and Retail Store, LLC** for that certain property located at **400 Granby Street, Suite North B**.

Thereupon, An Ordinance entitled, “An Ordinance authorizing an Amendment to the Lease between the City of Norfolk and **The Muddy Paws Grooming and Retail Store, LLC** for that certain property located at **400 Granby Street, Suite North B** and authorizing the City Manager to execute the Amendment on behalf of the City of Norfolk,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective March 25, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

CONSENT AGENDA

C-1

Letter from the City Manager advising, in accordance with Chapter 33.1-41 of the Norfolk City Code, of emergency/sole source procurement during Hurricane Joaquin with the Department of Public Works.

ACTION: Received and filed.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

REGULAR AGENDA

R-1

Matter of a letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an entertainment establishment with alcoholic beverages known as ‘Elegant Occasions by Krista’ on property located at **9605 Granby Street**,” was introduced in writing and read by its title.

(PASSED BY AT THE MEETING OF FEBRUARY 9, 2016)

Krista Hines, 9605 Granby Street, the applicant, stated that she had met with the Planning Department on three occasions to discuss the process and was never told the building is located in an Accident Potential Zone (APZ). It wasn’t until late December that she received an email stating that they needed to withdraw their application and that they would be refunded back their money. She and others met with the Planning Department and Navy, it was stated that due to the lack of education and communications between both parties the ball was dropped on this issue.

Capt Douglas Beaver, Commanding Officer, Naval Station Navy, 1530 Gilbert Street, Bldg., N-26, Ste., 2000, spoke in opposition to this matter, stating that the Banquet Hall is located 1.5 miles from the Chambers Airfield, Accident Potential Zone (APZ) and departure corridor. A study was done called AICUZ in association with Chambers Field, which included a Joint Land Use Study with Norfolk, Chesapeake and Virginia Beach for compatible use in the vicinity of military installations. In 2013 the City’s *plaNorfolk2030* was introduced, does not support an increase of intensity of use in incompatible zones. The AICUZ plan was incorporated into the City’s *plaNorfolk2030* to minimize intensity of use. He stated that the Navy supports the City’s Comprehensive Plan.

The following persons spoke in support of the applicant:

Alphonso Albert, 1017 Godfrey Street, Chris Collins, 7526 Merritt Street, Howard Le’Melle, II, 2650 Middle Street, Jen Stringer, 8834 Granby Street, Michael Shipp, 407 Sinclair Street.

The following proponents were present, but did not speak.

Priscilla Rogers and Quentin Rogers, 5309 Libertyville Road, Chesapeake, VA, Christina and Annie Collins, 7526 Merritt Street, Donnessia Boone, 2510 Rock Creek Drive, Fannie Harrison, 924 Elm Ct., Isaac Butts, 905 Liberty Street, Portsmouth, Presalee Collins, 1420 Hunningdon Woods Blvd., Chesapeake, VA, Delores and P. J. Collins, 512 Nelson Street, Joseph Romondt and Irma Wiggins, 6600 Chesapeake Blvd., Apt #G5, Monquez Hunter, 144 Kennet Drive, Anita Hicks, 3432 Nansemond Pkwy., both of Suffolk, VA, Zena and Jerome Brown, 5526 Brickell Road, Carol Collins, 4008 River Breeze Circle, Chesapeake, VA, Janet Hairston, 900 County Street Apt #325, Emoline Cooper, 1 Dewy Street, Portsmouth, VA, Vernet Southall, 4005 Spring Meadow Crescent, Amy Clemons, P.O. Box 10756, Delisa Mackey, 2308 Tawnyberry Lane, Chesapeake, VA, Christina Whitfield, 2709 Myrtle Avenue, Keith Collins, 1416 Hunningdon Woods Drive, Chesapeake, VA, Keith Hines, 4008 River Breeze, Chesapeake, VA.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel and Whibley.

No: Winn and Frain.

R-2 Matter of a letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to permit the operation of a Commercial Drive-Through for ‘Chartway Federal Credit Union’ on property located at **132 Kempsville Road**,” was introduced in writing and read by its title.

(PASSED BY AT THE MEETING OF FEBRUARY 9, 2016)

John Richardson, the attorney, 2101 Parks Avenue, Virginia Beach, VA, asked Council for their consideration for a positive vote to build the flag ship branch and that he has consulted with the engineers to meet the requirements.

The following proponents were present to answer questions.

John Blum, 160 Newtown Road, Norfolk, VA, Scott Chewning, the engineer, 132 Kempsville Road and Eugene Thompson, the architect, 293 Independence Blvd, Virginia Beach, Ste., #308.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Winn and Frain.

No: Whibley.

R-3 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting an exemption from real estate taxes for real property to **St. Thomas A.M.E. Zion Church** retroactive to July 1, 2013,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

R-4 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain Subsection (f) of Sections 24-160, Section 25-219, Section 42-34, and Subsection (a) of Section 42-35 of the Code of the City of Norfolk, 1979, **SO AS TO** replace the words Sunday School, Church and Churches with the words Religious Education, Religious Institution and Religious Institutions and **SO AS TO** correct the typographical error in Section 42-34 by replacing the word show with the word snow,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

R-5 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain Sections 25-646 and 25-654 of the Norfolk City Code, 1979 **SO AS TO** add seven new speed limits and one new stop intersection,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

R-6 Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain Sections 25-652 and 25-654 of the Norfolk City Code, 1979, **SO AS TO** add one new one-way street and five new stop intersections,” was introduced in writing and read by its title.

Chris Depalma, 314 Burleigh Avenue, spoke about the wrong map being attached, specifically Colonial Avenue, where the sign already exists

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

R-7 Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting a 2015 **State Homeland Security Program Grant Award** of \$71,370.00 from the Virginia Department of Emergency Management (VDEM) for the City of Norfolk Office of Emergency Management for Community Sheltering Enhancement equipment,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Frain.

No: None.

Letter from the City Manager and a Resolution entitled, “A Resolution to designate the area generally to the east of St. Paul’s Boulevard, to the south of East Bute Street, to the west of Fenchurch Street, and to the north of Mariner Street in the City of Norfolk as the **Greater St. Paul’s Revitalization** area,” was introduced in writing and read by its title.

Reverend John Burton, Pastor, St. John’s A.M.E. Church, 690 Red Mill Road, asked Council to approve the Resolution, because he believes the designation will support revitalization and that voting for this project should be a priority.

Rodney Jordan, 2506 Myrtle, stated that he was surprised about the project. He had some concerns so he contacted City Planning Department staff, because he knew that this area did not comply with the Low Income Tax Credit, but they did not want to talk about it. He then showed Council a map of demographics, which outlined race, public housing, Project 8 and Section 8 areas.

Shurl Montgomery, 1323 Windsor Point Road, stated that approval of this Resolution will continue to provide for future funding and meet the redevelopment needs of the City. To designate Greater St. Paul’s Revitalization Area will help to create healthy, vibrant, mixed income communities and meet the goals of the City for affordable housing.

James Watson, 703 East Virginia Beach Boulevard, spoke in opposition to this matter. He stated that he sent Council correspondence outlining his reasons why he opposed this project. He noted that as a representative of the stakeholders, notifying them by an agenda was inadequate. He went on to say that he supported some of what Mr. Jordan said, that the project started as a massive revitalization project and at some point it begin to downsize. The stakeholders need to know what happened and why.

Thomas Johnson, 440 Monticello Avenue, was present to answer questions.

ACTION: The Resolution as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley and Frain.

No: None.

Abstained: Winn.

Mr. Winn stated that he is President of Winn Nurseries which contracts with Nusbaum Realty, a developer in this area.

R-9

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund to **Miller Oil Co., Inc.**, in the amount of \$624,684.00, plus interest, based upon the **overpayment of its Business Professional and Occupational License Tax for the years 2012 through 2015**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance amending and reordaining the **Fiscal Year 2016 Compensation Plan** (Ordinance No. 45,954) to add one new section authorizing a bonus for certain employees,” was introduced in writing and read by its title.

Ellis James, 2021 Kenlake Place, stated that this Ordinance is not addressing the retirees and employees, but asked if it includes the police department.

Jane Bethel, 1142 Little Bay Avenue, stated that it was not fair to single out specific groups, that everyone should be included in the increase, whether it be a bonus or a raise.

ACTION: The Ordinance as introduced was **adopted**, effective February 23, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

NEW BUSINESS

1. Tom Luckman, 3192 Gallahad Drive, Virginia Beach, spoke to Council in regards to those who are participating in the City's Retirement System, stating that retirees are losing purchasing power. He shared statistical data from five other municipalities on what they are doing for their retirees and said that a Cost of Living Adjustment should be automatic.
2. James Powell, 1043 Avenue G, a retired police sergeant, stated that it had been a long time since he has received a COLA.
3. Anne Vanhook, 127 Orleans Circle, a volunteer at the Norfolk Care Adoption Center, spoke to Council about what the center needs in order to maintain staff and recruit staff, and what needs to happen to keep a healthy environment for the care of animals.
4. Eugene Mazurek, 4100 Colonial Avenue, spoke about the JEB Stewart School, stating that the building has not be cared for and that it is in disrepair. He also wanted to know how many apartments are being put on the property.
5. Jane Bethel, 1142 Little Bay, spoke about retirees receiving a COLA, stating that Norfolk should not want to be on the bottom, when it comes to doing the right thing for employees and retirees.